

House Bill 20

By: Representatives Oliver of the 83<sup>rd</sup>, Gardner of the 57<sup>th</sup>, Benfield of the 85<sup>th</sup>, and Stephens of the 164<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to administrative procedure, so as to provide that policies or rules of the Department of Human Resources and the Georgia Trauma Care Network Commission regarding loans, grants, and benefits shall not be excluded from the requirements regarding rule making; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to administrative procedure, is amended by revising paragraph (6) of Code Section 50-13-2, relating to definitions, as follows:

"(6) 'Rule' means each agency regulation, standard, or statement of general applicability that implements, interprets, or prescribes law or policy or describes the organization, procedure, or practice requirements of any agency. The term includes the amendment or repeal of a prior rule but does not include the following:

(A) Statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public;

(B) Declaratory rulings issued pursuant to Code Section 50-13-11;

(C) Intra-agency memoranda;

(D) Statements of policy or interpretations that are made in the decision of a contested case;

(E) Rules concerning the use or creation of public roads or facilities, which rules are communicated to the public by use of signs or symbols;

(F) Rules which relate to the acquiring, sale, development, and management of the property, both real and personal, of the state or of an agency;

(G) Rules which relate to contracts for the purchases and sales of goods and services by the state or of an agency;

- 27 (H) Rules which relate to the employment, compensation, tenure, terms, retirement, or  
28 regulation of the employees of the state or of an agency;
- 29 (I) Rules relating to loans, grants, and benefits by the state or of an agency; provided,  
30 however, that rules of the Department of Human Resources and the Georgia Trauma  
31 Care Network Commission regarding loans, grants, and benefits shall not be excluded  
32 under this subparagraph; or
- 33 (J) The approval or prescription for the future of rates or prices."

34 **SECTION 2.**

35 All laws and parts of laws in conflict with this Act are repealed.